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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,424	03/07/2002	Manuel Nedbal	02.030.01	7926

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EXAMINER

NAHAR, QAMRUN

ART UNIT	PAPER NUMBER
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2191

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/092,424	NEDBAL, MANUEL	
	Examiner	Art Unit	
	Qamrun Nahar	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,9-14,16,17,19-21,24-29,31,32,34-36,39-44 and 46-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,9-14,16,17,19-21,24-29,31,32,34-36,39-44 and 46-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/14/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed on 10/12/2005.
2. The rejection under 35 U.S.C. 102(e) as being anticipated by Hammack (U.S. 6,449,624) to claims 1-45 is moot in view of new ground(s) of rejection.
3. Claims 1, 13, 16, 28, 31 and 43 have been amended.
4. Claims 3, 7-8, 15, 18, 22-23, 30, 33, 37-38 and 45 have been canceled.
5. Claims 46-48 have been added.
6. Claims 1-2, 4-6, 9-14, 16-17, 19-21, 24-29, 31-32, 34-36, 39-44 and 46-48 are pending.
7. Claims 13-14, 28-29 and 43-44 stand finally rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. Claims 1-2, 4-6, 9-14, 16-17, 19-21, 24-29, 31-32, 34-36, 39-44 and 46-48 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over Hammack (U.S. 6,449,624) in view of Berg (U.S. 6,745,208).

Response to Amendment

Remarks

9. The status identifier for claim 2 should be "previously presented".

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claims 13-14, 28-29 and 43-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

12. Claim 13 recites the limitation “wherein mapping code is operable to map between said program configuration data and said XML data representation of said program configuration data” on lines 9-10 of the claim which is substantially the same limitation on lines 5-6 of the claim, which renders the claim indefinite. Applicant is required to delete either the limitation on lines 5-6 or lines 9-10 of the claim.

Claim 14 is rejected for dependency upon rejected base claim 13 above.

13. Claim 28 recites the limitation “wherein mapping code is operable to map between said program configuration data and said XML data representation of said program configuration data” on lines 9-10 of the claim which is substantially the same limitation on lines 5-6 of the claim, which renders the claim indefinite. Applicant is required to delete either the limitation on lines 5-6 or lines 9-10 of the claim.

Claim 29 is rejected for dependency upon rejected base claim 28 above.

14. Claim 43 recites the limitation “wherein mapping code is operable to map between said program configuration data and said XML data representation of said program configuration data” on lines 9-10 of the claim which is substantially the same limitation on lines 5-6 of the

claim, which renders the claim indefinite. Applicant is required to delete either the limitation on lines 5-6 or lines 9-10 of the claim.

Claim 44 is rejected for dependency upon rejected base claim 43 above.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 1-2, 4-6, 9-14, 16-17, 19-21, 24-29, 31-32, 34-36, 39-44 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammack (U.S. 6,449,624) in view of Berg (U.S. 6,745,208).

Per Claim 1:

Hammack teaches a computer program product for controlling a computer to validate program configuration data (column 3, lines 37-47), said computer program product comprising: comparing code operable to compare an XML data representation of said program configuration data with data defining valid program configuration data; wherein, if said XML data representation does match said data defining valid program configuration data, then triggering code is operable to trigger a valid program configuration response (column 3, lines 41-46; column 12, lines 25-36; column 14, lines 34-47; and column 21, lines 33-49; The prior configuration version is interpreted as the data defining valid program configuration data.);

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wherein mapping code is operable to map between said program configuration data and said XML data representation of said program configuration data; wherein editing code is operable to edit said XML data representation of said program configuration data to provide modified program configuration data to be validated (column 21, lines 33-49). Hammack does not explicitly teach a DOM data representation or to edit said DOM data representation. However, Berg teaches a DOM data representation (column 3, lines 44-57); and to edit said DOM data representation (column 4, lines 17-24).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the computer program product disclosed by Hammack to include a DOM data representation; and to edit said DOM data representation using the teaching of Berg. The modification would be obvious because one of ordinary skill in the art would be motivated to synchronize an object model to a DOM and vice versa (Berg, column 2, line 59 to column 3, line 21).

Per Claim 2:

The rejection of claim 1 is incorporated, and Hammack further teaches wherein said program configuration data is one of: operating system registry data specifying configuration parameters of an application program; program initialization data specifying configuration parameters of an application program; and XML data directly specifying configuration parameters of an application program (column 21, lines 33-49).

Per Claim 4:

The rejection of claim 1 is incorporated, and Berg further teaches wherein said data defining valid program configuration data is one of: XSD data defining a valid XML data representation; and DTD data defining a valid XML data representation (column 3, lines 55-57; DTD is inherent in parsing an XML document.).

Per Claim 5:

The rejection of claim 1 is incorporated, and Hammack further teaches wherein said comparing code is part of an XML parser (column 21, lines 66-67 to column 22, lines 1-8).

Per Claim 6:

The rejection of claim 5 is incorporated, and Hammack further teaches wherein said XML parser further provides validation of XML data other than said XML data representation of said program configuration data (column 21, lines 66-67 to column 22, lines 1-8).

Per Claim 9:

The rejection of claim 1 is incorporated, and Hammack further teaches wherein said comparing code is executable by a program configuration managing computer and said valid program configuration response comprises sending validated program configuration data to a managed computer for use by said managed computer (column 14, lines 34-47).

Per Claim 10:

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The rejection of claim 9 is incorporated, and Hammack further teaches wherein said validated program configuration data is sent from said program configuration managing computer to said managed computer as said XML data representation (column 14, lines 34-47 and column 21, lines 33-49).

Per Claim 11:

The rejection of claim 1 is incorporated, and Hammack further teaches wherein said comparing code is executable by a managed computer which receives program configuration data from program configuration managing computer and said valid program configuration response comprises configuring a program on said managed computer using said validated program configuration data (column 14, lines 34-47).

Per Claim 12:

The rejection of claim 11 is incorporated, and Hammack further teaches wherein said validated program configuration data is sent from said program configuration managing computer to said managed computer as said XML data representation (column 14, lines 34-47 and column 21, lines 33-49).

Per Claim 13:

This is another version of the claimed computer program product discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including “receiving code operable to receive an XML data representation of said

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program configuration data at said computer” and “configuration code operable to at least one apply said program configuration data to said computer and retrieve said program configuration data from said computer” (Hammack, column 12, lines 25-36; column 14, lines 34-47; and column 21, lines 33-49). Thus, accordingly, this claim is also obvious.

Per Claim 14:

The rejection of claim 13 is incorporated, and Hammack further teaches wherein said program configuration data is one of: operating system registry data specifying configuration parameters of an application program; and program initialization data specifying configuration parameters of an application program (column 21, lines 33-49).

Per Claims 16-17, 19-21 & 24-29:

These are method versions of the claimed computer program product discussed above (claims 1-2, 4-6 and 9-14, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claims 31-32, 34-36 & 39-44:

These are apparatus versions of the claimed computer program product discussed above (claims 1-2, 4-6 and 9-14, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

Per Claim 46 (new):

The rejection of claim 1 is incorporated, and Berg further teaches wherein the map includes a mapping between keys in an operating system registry to complex data types within said DOM data representation (column 6, lines 6-20).

Per Claim 47 (new):

The rejection of claim 1 is incorporated, and Berg further teaches wherein values in an operating system registry are mapped to simple data types within said DOM data representation (column 5, lines 8-15).

Per Claim 48 (new):

The rejection of claim 1 is incorporated, and Hammack further teaches wherein an operating system registry is parsed to identify a plurality of keys and types for associating attributes with a plurality of different instances (column 12, lines 25-36).

Response to Arguments

17. Applicant's arguments with respect to claims 1-2, 4-6, 9-14, 16-17, 19-21, 24-29, 31-32, 34-36, 39-44 and 46-48 have been considered but are moot in view of the new ground(s) of rejection.

In the remarks, the applicant argues that:

a) However, Hammack merely suggests a comparison method enabling “a user to compare the differences between any two versions and return the process to a desired prior configuration version” (see col. 3, lines 41-46). Thus, it is noted that Hammack does not necessarily designate one version as valid and other as not valid. To this end, Hammack clearly does not even suggest applicant’s claimed “comparing code operable to compare an XML data representation of said program configuration data with data defining valid program configuration data” (emphasis added), as claimed.

Examiner’s response:

a) The combination of Hammack and Berg clearly shows each and every limitation in each of the independent claims. Hammack is relied upon for the limitation “comparing code operable to compare an XML data representation of said program configuration data with data defining valid program configuration data” (column 3, lines 41-46; column 12, lines 25-36; column 14, lines 34-47; and column 21, lines 33-49; The prior configuration version is interpreted as the data defining valid program configuration data.). In addition, see the rejection above in paragraph 16 for rejection to the independent claims.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

19. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

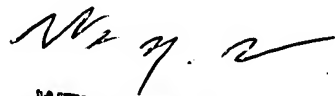
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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QN

December 14, 2005



WEI Y. ZHEN
PRIMARY EXAMINER